

REMARKS

ELECTION REQUIREMENT

In response to the restriction requirement mailed May 22, 2007, applicants hereby elect the Group I invention, i.e., claims 1-4 and 16-23 (drawn to stretchable collagen and a composition comprising stretchable collagen).

This election is made without traverse.

However, to the election of species requirement, applicants elected the species of claims 17 and 18, with traverse. The Examiner is requested to note that in the context of this invention, a “cell carrier” means a cell scaffold, but not a battery cell which is conductive or non-conductive. Thus, it can be seen that claims 17 and 18 read on the elected “cell carrier” being a “scaffold for cell culture” where the other identified species are not.

However, applicants remind the Examiner that upon allowance of a generic claim, such as claim 1, a reasonable number of species will be examined in the same application.

Moreover, from the standpoint of costs to the Applicants involved in filing, issuance and maintenance fees relating to separate applications if the present Election Requirement is maintained, it is clear that there is substantially more burden on Applicants by imposing the present Requirement than on the Patent Office if the Requirement were withdrawn.

In addition, it is noted that to require the claims of the various species to issue in separate patents would result in inconvenience to the public by necessitating reference to more than one patent during searching, in order to review closely related subject matter.

Therefore, withdrawal of the Species Requirement is warranted.

Reconsideration and withdrawal of the Species Requirement are respectfully requested.

Respectfully submitted,

TPP/mat  
Attorney Docket No.: TPP 31793

Thomas P. Pavelko  
Registration No. 31,689

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L Street, N.W., Suite 850  
Washington, D.C. 20036  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200 or (202) 408-5088

Date: June 22, 2007